IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY PETITION NO. 476 OF 2004
CONNECTED WITH
COMPANY APPLICATION NO. 189 OF 2004

In the matter of a Scheme of Amalgamation of Deshmukh Builders & Developers Pvt. Ltd., Cherish Homes Pvt. Ltd. and Happy Home Builders Pvt. Ltd. with Modern Tiles Company Pvt. Ltd.

Cherish Homes Pvt. Ltd. ... Petitioners.

Mrs. L.V. Mankar for Petitioner in all petitions.

Mr. R.C. Master, Panel Counsel i/by Dr. T.C. Kaushik for Regional Director, Department of Company Affairs, Maharashtra Mumbai in all Petitions.

Mr. P.G. Rao, Dy. Official Liquidator present.

CORAM : F.I. REBELLO,J.
DATED : SEPTEMBER 23, 2004

P.C.

1. Heard the learned counsel appearing on behalf of the Petitioner.

2. Petitioner has filed a Scheme for its amalgamation with Modern Tiles Company Pvt. Ltd. Petitioner company was incorporated under the provisions of Companies Act, 1956 with the Registrar of Companies. On the same day, Transferee company was also incorporated with the Registrar of Companies.

3. The Regional Director has filed his affidavit dated 17.9.2004. He has no objection to the

sanctioning of the scheme. The company has complied with other requisitions. Even otherwise there is nothing else which will indicate that scheme is prejudicial to the share holders and or public interest.

4. The Official Liquidator has submitted his report and it is set out therein that the affairs of the company have not been continued in the manner prejudicial to the interest of member of public interest.

5. In the light of that Petition made absolute in terms of Prayer Clauses (a) to (e).

. The company has to pay cost quantified at Rs.2500/- each to the Regional Director and Official Liquidator within four weeks from today.

(F.I. REBELLO,J.)